

SUPERIOR COURT OF CALIFORNIA

County of San Diego

DATE: December 11, 2006 DEPT. 71 REPORTER A: CSR#

PRESENT HON. RONALD S. PRAGER REPORTER B: CSR#

JUDGE

CLERK: K. Sandoval

**BAILIFF: REPORTER'S ADDRESS: P.O. BOX 120128
SAN DIEGO, CA 92112-4104**

**TENTATIVE RULING GOOD FAITH SETTLEMENT
ENCANA CORP. AND WD ENERGY SERVICES, INC., THE WILLIAMS COMPANIES, INC.
AND WILLIAMS POWER CO., INC., AND CORAL ENERGY RESOURCES, L.P.**

IN RE: JCCP 4221/4224/4226&4428 – Natural Gas Anti-Trust Cases (Price Indexing)

The attached Court's tentative ruling applies to all cases listed as follows:

| | |
|-------------------|---|
| 4221-00020 | UYEDA vs CENTERPOINT ENERGY INC |
| 4221-00021 | BENSCHIEDT vs AEP ENERGY SERVICES INC |
| 4221-00022 | COUNTY OF SANTA CLARA vs SEMPRA ENERGY |
| 4221-00023 | CITY AND COUNTY OF SAN FRANCISCO vs SEMPRA ENERGY |
| 4221-00024 | COUNTY OF SAN DIEGO vs SEMPRA ENERGY |
| 4221-00025 | OLDER vs SEMPRA ENERGY |
| 4221-00026 | CITY OF SAN DIEGO vs SEMPRA ENERGY |
| 4221-00027 | TAMCO vs DYNEGY INC |
| 4221-00028 | A L GILBERT COMPANY vs CORAL ENERGY RESOURCES LP |
| 4221-00029 | OBERTI WHOLESALE FOOD INC vs ENCANA ENERGY SERVICES INC |
| 4221-00030 | BROWN vs ENCANA ENERGY SERVICES INC |
| 4221-00031 | LOIS THE PIE QUEEN vs ENCANA ENERGY SERVICES INC |
| 4221-00032 | VITTICE CORPORATION vs ENCANA CORPORATION |
| 4221-00033 | COUNTY OF ALAMEDA vs SEMPRA ENERGY |
| 4221-00034 | THE REGENTS OF THE UNIVERSITY OF CALIFORNIA vs RELIANT ENERGY SERVICES INC |
| 4221-00035 | SCHOOL PROJECT FOR UTILITY RATE REDUCTION vs SEMPRA ENERGY |
| 4221-00036 | ASSOCIATION OF BAY AREA GOVERNMENTS vs SEMPRA ENERGY |
| 4221-00037 | OWENS-BROCKWAY GLASS CONTAINER INC vs SEMPRA ENERGY |
| 4221-00038 | TEAM DESIGN DBA TIMOTHY ENGELN INC vs RELIANT ENERGY INC |
| 4221-00039 | CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER vs RELIANT ENERGY SERVICES INC |
| 4221-00040 | SACRAMENTO MUNICIPAL UTILITY DISTRICT vs RELIANT ENERGY SERVICES INC |

4221-00041 SHANGHAI 1930 RESTRAURANT PARTNERS LP vs ENCANA ENERGY SERVICES INC
4221-00042 PODESTA vs ENCANA ENERGY SERVICES INC
4221-00042 PODESTA vs ENCANA ENERGY SERVICES INC
4221-00044 COUNTY OF SAN MATEO vs SEMPRA ENERGY
4221-00045 BUSTAMANTE vs WILLIAMS ENERGY SERVICES
4221-00046 PABCO BUILDING PRODUCTS vs DYNEGY INC
4221-00047 BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY vs DYNEGY INC
4221-00043 NURSERYMAN'S EXCHANGE OF HALF MOON BAY vs SEMPRA ENERGY

The Court rules on defendants Encana Corp. and WD Energy Services, Inc. (collectively “WD”), the Williams Companies, Inc. and Williams Power Co. (collectively “Williams”), Inc. and Coral Energy Resources, L.P.’s (“Coral”) motion for good faith settlement as follows:

This unopposed motion for good faith settlement is GRANTED for the reasons stated below.

The factors that a Court considers in evaluating whether a settlement was made in good faith is set forth in Tech-Bilt, Inc. v. Woodward-Clyde & Associates (1985) 38 Cal. 3d 488, 499.

Here, WD, Williams, and Coral have set forth sufficient evidence for this Court find that the requirements outlined in Tech-Bilt have been met in this case. See Bird Declaration, ¶4 and Exhibit A, Hamer Declaration, ¶3 and Exhibit A, and Cullen Declaration, ¶3 and Exhibit A.

IT IS SO ORDERED.